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P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov
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CEDORA RUIZ
131 DAHLIA STREET
CASPER WY 82064

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OFFICE OF PETITIONS

In re Application of	:	
Cedora Ruiz	:	DECISION ON PETITION
Application No. 10/762,843	:	TO WITHDRAW HOLDING OF
Filed: 21 January, 2004	:	ABANDONMENT
Atty Docket No. RUIZ.0003P	:	

This is a decision on the petition, filed on 25 July, 2005, to withdraw the holding of abandonment in the above-identified application.

The petition is granted.

This application was held abandoned for failure to timely and effectively respond to the non-final Office action mailed on 7 January, 2005, which set a three (3) month shortened statutory period for reply. In the apparent absence of a timely filed response, the application was held abandoned and a Notice of Abandonment was mailed on 12 July, 2005.

Petitioner asserts that a timely response was filed. In support, petitioners have supplied a copy of the reply, consisting of an amendment and a three (3) month extension of time. The response contains a certificate of mailing dated 5 July, 2005.

A review of the official file reveals that on 7 July, 2005, an amendment and three (3) month extension of time were timely received. Additionally, the amendment bears a valid certificate of mailing dated 5 July, 2005. As such, the showing of record is that a response was timely filed, and there is no abandonment in fact. Any inconvenience caused to applicant is regretted.

The Notice of Abandonment is vacated, and the holding of abandonment is withdrawn.

The address on the petition is different than the correspondence address of record. A copy of this decision is being mailed to

the address listed in the petition. All future correspondence, however, will be mailed solely to the address of record.

The application file is being forwarded to Technology Center Art Unit 3751 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.

A handwritten signature in black ink, appearing to read "D Wood".

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

cc: R. Scott Weide
Weide & Miller, Ltd.
7251 W. Lake Mead Blvd., Suite 350
Las Vegas NV 89128